



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION
CITY VIEW PLAZA II, SUITE 7000
GUAYNABO, PUERTO RICO 00968-8069

061214

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Honorable José Rosario
Mayor
Municipality of Cataño
P.O. Box 428
Cataño, Puerto Rico 00963

**Re: Transmittal of Compliance Evaluation Inspection Report
Municipality of Cataño Small Municipal Separate Storm Sewer System
NPDES Permit Number PRR040033**

Dear Mayor Rosario:

This letter is in reference to the Compliance Evaluation Inspection (CEI) performed on August 21, 2013, by Ms. Yolianne Maclay, P.E., of the United States Environmental Protection Agency (EPA) at the Municipality of Cataño Public Works Facility located at State Road 869, intersection with Street 19, Las Palmas Ward, Cataño, Puerto Rico. The purpose of the CEI was to evaluate the Municipality's compliance with the criteria of Pollution Prevention and Good Housekeeping Practices of the National Pollutant Discharge Elimination System (NPDES) Permit (PRR040033) for storm water discharges associated with Small Municipal Separate Storm Sewer Systems (MS4).

Enclosed is a copy of the NPDES Water Compliance Inspection Report ("the Report") which summarizes the findings of the CEI. Within 30 calendar days from receipt of this letter, the Municipality of Cataño must acknowledge receipt of this letter and submit a compliance plan addressing the findings identified in the Report.

If you have any questions regarding the Report, please contact Ms. Yolianne Maclay, P.E., at (787) 977-5849 or through electronic mail at maclay.yolianne@epa.gov.

We urge your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Torres", is written over a horizontal line.

Ramon Torres,
Acting Chief
Multimedia Permits and Compliance Branch



United States Environmental Protection Agency
Washington, D.C. 20460
Water Compliance Inspection Report

Form Approved.
OMB No. 2040-0057
Approval expires 8-31-98

Section A: National Data System Coding (i.e., PCS)

Transaction Code	NPDES	yr/mo/day	Inspection Type	Inspector	Fac Type
1 N 2 5 3 PRR040033 11 12 2013/08/21 17 18 C 19 R 20 2					
Remarks					
21					
Inspection Work Days	Facility Self-Monitoring Evaluation Rating	B1	QA	Reserved	
67 1 0 69 70 n a 71 72 73 74 75 80					

Section B: Facility Data

Name and Location of Facility Inspected (for industrial users discharging to POTW, also include POTW name and NPDES permit number)	Entry Time/Date	Permit Effective Date
Municipality of Cataño Public Works Facility State Road 869, intersection with Street 19, Las Palmas Ward, Cataño, Puerto Rico	9:00 am 08/21/2013	November 6, 2006
	Exit Time/Date	Permit Expiration Date
	12:00 pm 08/21/2013	November 6, 2011
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)	Other Facility Data	
Mr. Norberto Torres, Public Works Director Mrs. Rosa M. Cruz, Administrative Assistant Public Works Facility phone number: (787) 847-3910	NPDES Storm Water Municipal Separate Storm Sewer Systems General Permit (MS4) PRR040000	
Name, Address of Responsible Official/Title/Phone and Fax Number(s)		
Honorable José Rosario Mayor Municipality of Cataño P.O. Box 428 Cataño, Puerto Rico 00963		
Contacted		
Yes No X		

Section C: Areas Evaluated During Inspection (Check only those areas evaluated)

<input checked="" type="checkbox"/> Permit	<input type="checkbox"/> Flow Measurement	<input checked="" type="checkbox"/> Operations & Maintenance	<input type="checkbox"/> CSO/SSO (Sewer Overflow)
<input checked="" type="checkbox"/> Records/Reports	<input type="checkbox"/> Self-Monitoring Program	<input type="checkbox"/> Sludge Handling/Disposal	<input checked="" type="checkbox"/> Pollution Prevention
<input checked="" type="checkbox"/> Facility Site Review	<input type="checkbox"/> Compliance Schedules	<input type="checkbox"/> Pretreatment	<input type="checkbox"/> Multimedia
<input type="checkbox"/> Effluent/Receiving Water	<input type="checkbox"/> Laboratory	<input checked="" type="checkbox"/> Storm Water	<input type="checkbox"/> Other:

Section D: Summary of Findings/Comments (Attach additional sheets of narrative and checklists as necessary)

See attached report for findings.

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Phone and Fax Numbers	Date
Yolianne Maclay, P.E., Environmental Engineer 	EPA/CEPD/MPCB (787) 977-5849	6/21/2014
Signature of Management QA Reviewer	Agency/Office/Phone and Fax Numbers	Date
 Ramón Torres, MPCB Acting Chief	EPA/CEPD/MPCB (787) 977-5807	6/3/14

Compliance Evaluation Inspection

Water Compliance Evaluation Inspection Report Form (EPA Form 3560-3) Summary of Findings

Facility Name: Cataño Public Works Facility
NPDES Permit Number: PRR040033
Inspection Date: August 21, 2013

I. Background

A Compliance Evaluation Inspection (CEI) was conducted on August 21, 2013, at the Municipality of Cataño Public Works Facility (PWF). The purpose of the CEI was to evaluate the Municipality of Cataño PWF compliance with the National Pollutant Discharge Elimination System ("NPDES") General Permit ("Permit") for Discharges from Small Municipal Separate Storm Sewer Systems (MS4). The CEI consisted of an entry meeting to discuss the purpose of the inspection; a site tour to evaluate operational and maintenance conditions at the Public Works Facility; and a closing meeting to discuss preliminary findings.

This Supplement to the Water Compliance Inspection Report Form is prepared to include all findings and comments concerning CEI conducted by the environmental engineer and enforcement officer, Yolianne Maclay, of the United States Environmental Protection Agency (EPA), Region 2.

The inspection was focused on one of the sixth Minimum Control Measure (MCM) named Pollution Prevention/Good Housekeeping for Municipal Operations, as described in Part 4.2.6 of the Permit.

II. General Information

1. Date of Site Inspection - August 21, 2013
2. Site: Municipality of Cataño Public Works Facility
 - a. Address – State Road 869, intersection with Street 19, Las Palmas Ward, Cataño, Puerto Rico
 - b. Coordinates
 - i. Latitude: 18°25'50.26"N
 - ii. Longitude: 66° 8'59.45"W
3. Time of Inspection - Inspection began approximately at 9:00 a.m. and ended at 12:00 p.m. approximately.
4. Weather – Cloudy Day

5. EPA's Representatives: Mrs. Yolianne Maclay, Enforcement Officer
6. Municipality of Cataño Representative: Mr. Norberto Torres, Public Works Director; and Mrs. Rosa M. Cruz, Administrative Assistant.
7. Public Works Facility phone numbers: (787) 847-3910
8. MS4 Program Coordinator: unknown

III. With Respect To The Permit

1. On November 6, 2006, EPA issued and published in the Federal Register (71 Fed. Reg. 64,952), the Permit for storm water discharges that are associated with municipal separate storm sewer systems within urbanized areas. The Permit became effective on November 6, 2006, and expired on November 6, 2011.
2. The Permit was administratively extended, and its terms and conditions remain fully effective and enforceable, pursuant to 5 U.S.C. § 558(c) and 40 C.F.R. § 122.6.
3. The Permit established NOI requirements for those municipalities seeking coverage under the Small MS4 General Permit, established application deadlines, and required the development and implementation of a municipal Storm Water Management Program (SWMP).
4. The Municipality of Cataño submitted the NOI on April 1, 2008 and the SWMP on January 28, 2011.
5. Part 4 of the Permit established that the permittee must develop, implement, and enforce a SWMP designed to reduce the discharge of pollutants from the small MS4 to the Maximum Extent Practicable (MEP), to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act (CWA).
6. Part 5.3 of the Permit established that the permittee must submit an annual report to EPA by November 6th of each year of the permit term. EPA has not received Annual Reports from the Municipality.
7. The SWMP must include six Minimum Control Measure (MCMs), described on Part 4.2 of the Permit; however, the inspection focused on Pollution Prevention/Good Housekeeping for Municipal Operations.
8. Part 4.2.6.1.1 of the Permit required the Municipality of Cataño to “develop and implement an operation and maintenance program that includes a training component which has an ultimate goal of preventing or reducing pollutant runoff from municipal operations.”

IV. Public Works Walkthrough and Findings

The Cataño PWF owned and operated by the Municipality of Cataño, is used for various Public Works activities associated with the Cataño MS4, including the following: (1) vehicle and equipment storage, (2) vehicle maintenance, (3) recycling, and (4) material storage. Mr. Norberto Torres, Cataño Public Works Director, explained that the facility doesn't have a fuel station since they use private gas stations.

On August 21, 2013, an EPA Enforcement Officer conducted a CEI at municipally owned PWF. The purpose of the site visit was to document site conditions and assess the Municipality's oversight activities for municipal operations and maintenance. A summary of the observations pertaining to the Public Works Facility site visit are presented below. All referenced photographs are contained in Attachment I, Photographic Documentation.

1. The stormwater runoff generated in the PWF flows through a pipe system with four catch basins that runs through the east side of the facility, and discharges into the storm water pipe system on the street (Carr. 19). The stormwater runoff generated at the backside of the facility flows through the ground surface and discharges into the stormwater pipe system located on State Road 869. Refer to pictures 1 and 2 for a view of the stormwater pipe system. The closest receiving water bodies are Rio Bayamón and Caño La Malaria, which are navigable waters of the United States. Refer to Attachment II for the drainage map.
2. The Cataño PWF Workshop is located under a roof, preventing storm water from getting in contact with the pollutants used in the area (see picture 3).
3. The used oil is transferred through a pipe system. The pump was out of service during the inspection. Mr. Torres explained that the pump broke a month ago and they were using 5-gallon buckets to transfer the used oil manually to the tank (see picture 4).
4. A vehicle to be decommissioned was observed with corroded parts exposed to stormwater and besides a catch basin (see picture 5).
5. Waste was observed exposed to storm water on the following areas:
 - behind the storage area; drum lids, paint containers, and construction debris were observed (see picture 7);
 - at the west side of the property; abandoned mechanical equipment was observed exposed to stormwater (see picture 8);
 - at the north side of the property; waste was exposed to stormwater without pollution prevention controls implemented. According to Mr. Torres, the waste found throughout the municipality is taken to this area and a private company named Andres Reyes Burgos disposes of it on daily basis. Mrs. Cruz explained that the Municipality is in process of obtaining the permits

for a transfer station (see picture 8). The Municipality must implement measures to prevent stormwater pollution and to manage the leakage generated at this area.

6. Construction aggregates piles exposed to storm water were observed at the west side of the facility without erosion controls implemented. Construction aggregates has eroded from this area and sediments were observed at the stormwater channel located on State Road #869 (see pictures 10 and 11).

V. Document Review and Findings

7. EPA Enforcement Officer, Yolianne Maclay, formally requested during the CEI an operation and maintenance program that has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. As far as Mr. Torres is aware, there is no pollution prevention plan for Public Works Facilities.
8. According to Mr. Torres, the Municipality has not developed nor implemented a training program as required on Part 4.2.6.1.2 of the Permit. The Municipality must develop an employee training program in order to incorporate pollution prevention/good housekeeping techniques into municipal operations such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance. To minimize duplication of effort and conserve resources, the MS4 operator can use training materials available from EPA, their State, or relevant organizations.
9. The Municipality has developed maintenance activities and maintenance schedules that reduce floatables and other pollutants. According to Mr. Torres, the Municipality has implemented a stormwater sewer system cleaning program, debris cleaning program, a yard waste pick up program, and a recycling program. Mr. Torres explained that the programs were organized based on pre-established routes. The documents related to this measure were not available during the inspection.
10. The Municipality has not established a formal procedure to reduce or eliminate the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations or maintenance shops as required by Part 4.2.6.2.3.2 of the Permit. However, the Municipality have implemented several programs mentioned on item #3 that contributes to reduce the discharge of pollutants to the MS4.
11. The Municipality has not established procedures for the proper disposal of waste removed from the MS4 and their municipal operations, as required on Part 4.2.6.2.3.3 of the Permit. However, Mr. Torres indicated that the waste manage by the Municipality is taken by Andres Reyes Burgos Company to the Vega Baja Landfill.

12. The Municipality has never submitted Annual Reports to the EPA. Part 5.3 of the Permit established that the permittee must submit an annual report to EPA by November 6th of each year of the permit term.

VI. Closing Meeting

The CEI ended with an exit meeting with the representatives mentioned on section II. EPA Inspector notified the municipality representatives of the preliminary findings of the Inspection, including the implementation of BMPs to prevent stormwater pollution on the following areas: the discarded vehicle and equipment storage area, waste observed exposed to storm water on several areas throughout the facility, and the construction aggregates piles. In addition, we discussed on general terms the Permit requirements, the development of standard procedures, and the importance of documenting their activities, among other things.

VII. Conclusion

EPA is requesting that within 30 calendar days of receipt of this Compliance Evaluation Inspection Report ("the Report"), the Municipality reports the actions completed to correct the above noted findings and submit a compliance plan in order to address the findings that continue to be pending. The Compliance Plan must include at minimum the strategy and timeline to comply with the Permit requirements. Also, the Municipality must submit the Annual Reports.

End of Report

Prepared by: Yolianne Maclay
Yolianne Maclay, P.E.
Environmental Engineer
U.S. Environmental Protection Agency, Region 2

6/2/14
Date

Attachment I Photo Documentation
Attachment II Map

Attachment 1

Photo Documentation



Picture 1

View of the Cataño Public Works Facility entrance and two catch basins.



Picture 2

View of the vehicles parked under a roof when not in use.



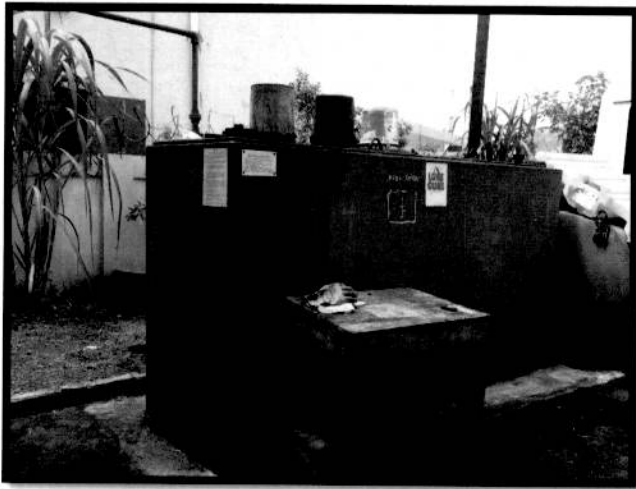
Picture 3

Closer view of a catch basin in need of maintenance.



Picture 4

View of the mechanical workshop located under a roof.



Picture 5

View of the used oil storage tank.



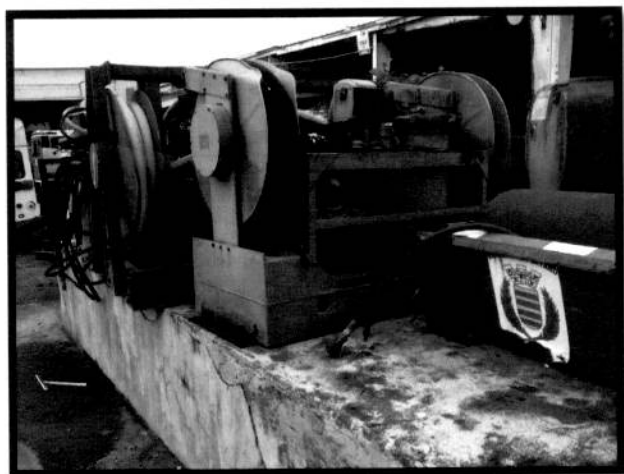
Picture 6

Waste accumulated between the workshop and the storage area. Wood, steel, and post were observed in the area exposed to stormwater.



Picture 7

View of waste accumulated at the west side behind the storage area of the facility. The waste observed included drums lid, paint containers, construction debris, among others. This area drains into State Road 869 stormwater sewer



Picture 8

View of abandoned mechanical equipment, exposed to stormwater, on the west side of the property.



Picture 9

View of waste at the north side of the property. The waste observed includes furniture, wood pallets, construction debris, and yard waste, among others.



Picture 10

View of construction aggregates exposed to stormwater without controls implemented.



Picture 11

View of State Road #869, water was observed moving from the PWF into the stormwater channel. The north area of the facility drains into this channel. Sediments were observed in the channel.

Attachment 2

Maps

Municipality of Cataño
Public Works Facility Drainage Map



Municipality of Cataño
Public Works Facility Top View

